

(P. 25)

FILED

JUL 17 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

IN THE UNITED STATES DISTRICT COURT
THE NORTHERN DISTRICT OF CALIFORNIA

THOMAS, JAMES EDWARD
Petitioner,

Case # 04-08-CV-1218-SBA

V.

REQUEST FOR APPOINTMENT
OF COUNSEL

Respondent.

WARDEN - WALKER, C.C.P. SAC / BUL.

Petitioner is proceeding pro se and in forma pauperis with an application for writ of habeas corpus pursuant to 28 U.S.C. S 2254. Congress has authorized the appointment of counsel in section 2254 proceedings to represent indigent petitioners when the interests of justice so requires. 18 U.S.C. S 300(A) (2) (B). Petitioner avers that the interests of justice require that counsel be appointed, in that:

1. Petitioner is not trained in the law and has limited law library access for purposes of researching the law and preparing pleading;
2. Petitioner's application for habeas relief states a prima facie case that petitioner has been and is being deprived of liberty in violation of the Constitution of the United States; and
3. Respondent has the benefit of counsel.

Accordingly, petitioner request the appointment of counsel pursuant to rule 8(c) Rules Governing Section 2254 Cases.

DATED: April 14, 2008 / CSP AT SAC (FOL. CHIT

PETITIONER: James Edward Thomas -